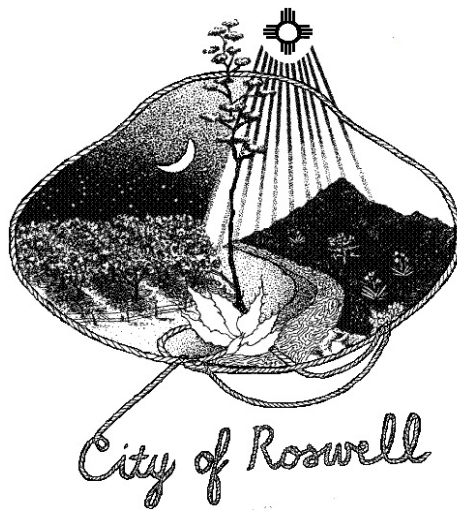


# CITY OF ROSWELL, NEW MEXICO



## ***PERSONNEL RULES AND REGULATIONS***

Effective September 10, 1999

## TABLE OF CONTENTS

	<b>Page</b>
<b>INTRODUCTION</b> .....	viii
 <b>CHAPTER I                    GENERAL PROVISIONS</b>	
100.0                    General .....	1
101.0                    Authority For Rules .....	1
102.0                    Authority for Administration .....	1
103.0                    Amendments to <i>Personnel Rules and Regulations</i> .....	1
104.0                    Supplemental Rules .....	2
105.0                    Equal Employment Opportunity .....	2
106.0                    Severance Clause .....	2
107.0                    Disclaimer .....	2
 <b>CHAPTER II                  CLASSIFICATION PLAN</b>	
200.0                    Classification of Positions .....	3
201.0                    Classified Positions .....	3
202.0                    Unclassified Positions .....	3
 <b>CHAPTER III                COMPENSATION PLAN AND PAY</b>	
300.0                    Compensation Plan .....	4
301.0                    Adjustments to Compensation Plan .....	4
302.0                    Pay .....	4
303.0                    Pay Days, Pay Weeks and Pay Periods .....	4
304.0                    Pay Changes–Effective Date .....	4
305.0                    Pay at Initial Appointment .....	4
306.0                    Pay at End of Initial Probation .....	5
307.0                    Pay at Performance Evaluation .....	5
308.0                    Pay at Reclassification of Position .....	5
309.0                    Pay at Transfer .....	5
310.0                    Pay at Promotion .....	5
311.0                    Pay at Demotion .....	5
312.0                    Pay at Termination .....	6
312.1                    Pay at Termination–Payment .....	6
313.0                    Longevity Pay .....	6
314.0                    Overtime Pay .....	6
315.0                    Call Back Pay .....	7
316.0                    On Call Pay .....	7
317.0                    Standby Pay .....	7
318.0                    Holiday Pay–Full-Time Employees .....	7
318.1                    Holiday Pay–Part-Time Employees .....	7
318.2                    Holiday Pay–Temporary Employees .....	7
318.3                    Holiday Pay–Annual Leave .....	7
318.4                    Holiday Pay–Sick Leave .....	8

## TABLE OF CONTENTS

		Page
318.5	Holiday Pay–Absent Without Leave (AWOL) .....	8
318.6	Holiday Pay–Duty Disability Leave .....	8
318.7	Holiday Pay–Leave Without Pay .....	8
319.0	Pay for Holiday Work–Full-Time Employees .....	8
319.1	Pay for Holiday Work–Part-Time Employees .....	8
319.2	Pay for Holiday Work–Temporary Employees .....	8

## CHAPTER IV RECRUITMENT, SELECTION, APPOINTMENT AND PERFORMANCE

400.0	Position Vacancy .....	9
401.0	Job Postings .....	9
402.0	Applications .....	9
402.1	Applicants–Current Employees .....	9
403.0	Evaluation of Applicants .....	10
404.0	Disqualification of Applicants .....	10
405.0	Reference Checks .....	10
406.0	Background Investigations .....	10
407.0	Examinations .....	10
408.0	Interviews .....	11
409.0	Selection .....	11
410.0	Driver’s License Checks .....	11
411.0	Physical Examinations .....	11
412.0	Appointment–Types of Positions .....	11
412.1	Appointment–Employee Status .....	11
412.2	Appointment–Temporary to Regular Position .....	12
412.3	Appointment–Former Employees .....	12
413.0	Processing New Employees .....	12
414.0	Initial Probation .....	12
414.1	Initial Probation–Temporary to Regular Position .....	12
414.2	Initial Probation–Evaluation .....	12
414.3	Initial Probation–Satisfactory Completion .....	12
414.4	Initial Probation–Termination .....	13
414.5	Initial Probation–Transfer, Promotion or Demotion .....	13
414.6	Initial Probation–Duty Disability Leave .....	13
414.7	Initial Probation–Leave Without Pay .....	13
414.8	Initial Probation–Appeal Procedure .....	13
415.0	Probation on Transfer, Promotion or Demotion to Fire or Police Department .....	13
416.0	Performance Evaluation .....	13
416.1	Performance Evaluation–Purpose .....	13
416.2	Performance Evaluation–Objective .....	14
416.3	Performance Evaluation–Performance Improvement Plan (PIP) .....	14
416.4	Performance Evaluation–Unsatisfactory Performance .....	14

## TABLE OF CONTENTS

	<b>Page</b>
417.0	Performance Evaluation Date . . . . . 14
417.1	Performance Evaluation Date–Transfer, Promotion or Demotion . . . . . 15
417.2	Performance Evaluation Date–Duty Disability Leave . . . . . 15
417.3	Performance Evaluation Date–Leave Without Pay . . . . . 15
417.4	Performance Evaluation Date–Reinstatement from Military Leave . . . . . 15
417.5	Performance Evaluation Date–Reinstatement from Layoff . . . . . 15
418.0	Reinstatement from Military Leave . . . . . 15
419.0	Reinstatement from Layoff . . . . . 15
420.0	Nepotism . . . . . 16

### **CHAPTER V                      CHANGES IN EMPLOYMENT STATUS**

500.0	Transfer . . . . . 18
501.0	Promotion . . . . . 18
502.0	Demotion . . . . . 18
503.0	Termination . . . . . 19
503.1	Termination–Voluntary Resignation . . . . . 19
503.2	Termination–Voluntary Retirement . . . . . 19
503.3	Termination–Absence Without Leave (AWOL) . . . . . 19
503.4	Termination–Disability . . . . . 19
503.5	Termination–Disability Retirement . . . . . 20
503.6	Termination–During Initial Probation . . . . . 20
503.7	Termination–For Cause . . . . . 20
503.8	Termination–Death . . . . . 20
503.9	Termination–Layoff . . . . . 20

### **CHAPTER VI                      CONDITIONS OF EMPLOYMENT**

600.0	Continuous Service . . . . . 22
601.0	Work Week . . . . . 22
602.0	Attendance . . . . . 22
603.0	Notification of Absence . . . . . 22
604.0	Break Time . . . . . 23
605.0	Meal Time . . . . . 23
606.0	Outside Employment . . . . . 23
607.0	Political Participation . . . . . 23
608.0	Voting Time . . . . . 24
609.0	Contributions to Charities . . . . . 24
610.0	Telephone–Courtesy . . . . . 24
610.1	Telephone–Personal Use . . . . . 24
611.0	Travel Expenses . . . . . 24
612.0	Dress and Appearance . . . . . 24
612.1	Dress and Appearance–Uniformed Personnel . . . . . 24
612.2	Dress and Appearance–Non-Uniformed Personnel . . . . . 25
613.0	City Vehicles . . . . . 25

## TABLE OF CONTENTS

	<b>Page</b>
613.1	City Vehicles–Break and Meal Time . . . . . 25
613.2	City Vehicles–Use After Hours . . . . . 25
613.3	City Vehicles–Use for Call Back . . . . . 25
614.0	Work Safety . . . . . 25
615.0	Driving Safety . . . . . 25
616.0	Driver’s License . . . . . 26
616.1	Driver’s License–Verification . . . . . 26
617.0	Loss of Driver’s License–Duty to Report . . . . . 26
617.1	Loss of Driver’s License–Operation of City Vehicle . . . . . 26
617.2	Loss of Driver’s License–Operation of City Vehicle–Exceptions . . . . . 26
617.3	Loss of Driver’s License–Supervisor’s Responsibility and Discipline for Violation . . . . . 27
617.4	Loss of Driver’s License–Assignment Status . . . . . 27
617.5	Loss of Driver’s License–Probationary and Temporary Employees . . . . . 27
618.0	Personnel Files . . . . . 27
618.1	Personnel Files–Updates . . . . . 27
618.2	Personnel Files–Examination by Employee . . . . . 28
618.3	Personnel Files–Examination by Others . . . . . 28
618.4	Personnel Files–Retention . . . . . 28
619.0	Personnel Information–Release of Information . . . . . 29

## CHAPTER VII LEAVES AND BENEFITS

700.0	Holidays . . . . . 30
700.1	Holidays–On Weekends . . . . . 30
701.0	Personal Leave–Full-Time Employees . . . . . 30
701.1	Personal Leave–Part-Time Employees . . . . . 30
701.2	Personal Leave–Temporary Employees . . . . . 31
701.3	Personal Leave–Duty Disability Leave . . . . . 31
701.4	Personal Leave–Leave Without Pay . . . . . 31
701.5	Personal Leave–Termination . . . . . 31
702.0	Types of Authorized Leave–With Pay . . . . . 31
703.0	Annual Leave . . . . . 31
703.1	Annual Leave–Approval . . . . . 31
703.2	Annual Leave–Accrual Rate–Full-Time Employees . . . . . 31
703.3	Annual Leave–Accrual Rate–Part-Time Employees . . . . . 32
703.4	Annual Leave–Accrual–Return from Duty Disability Leave . . . . . 32
703.5	Annual Leave–Accrual–Return from Leave Without Pay . . . . . 32
703.6	Annual Leave–Temporary Employees . . . . . 33
703.7	Annual Leave–Probationary Employees . . . . . 33
703.8	Annual Leave–Deductions . . . . . 33
703.9	Annual Leave–Long-Term Leave With Pay . . . . . 33
703.10	Annual Leave–Duty Disability Leave . . . . . 33
703.11	Annual Leave–Leave Without Pay . . . . . 33
703.12	Annual Leave–Military Leave . . . . . 33

## TABLE OF CONTENTS

	<b>Page</b>
703.13	Annual Leave–Layoff . . . . . 33
703.14	Annual Leave–Termination . . . . . 33
703.15	Annual Leave–Exhaustion of Accrued Time . . . . . 34
703.16	Annual Leave–Carry Over . . . . . 34
704.0	Sick Leave . . . . . 34
704.1	Sick Leave–Approval . . . . . 34
704.2	Sick Leave–Proof of Reason . . . . . 34
704.3	Sick Leave–Abuse . . . . . 35
704.4	Sick Leave–Accrual Rate–Full-Time Employees . . . . . 35
704.5	Sick Leave–Accrual Rate–Part-Time Employees . . . . . 35
704.6	Sick Leave–Accrual–Return from Duty Disability Leave . . . . . 35
704.7	Sick Leave–Accrual–Return from Leave Without Pay . . . . . 35
704.8	Sick Leave–Temporary Employees . . . . . 36
704.9	Sick Leave–Probationary Employees . . . . . 36
704.10	Sick Leave–Deductions . . . . . 36
704.11	Sick Leave–Long-Term Leave With Pay . . . . . 36
704.12	Sick Leave–Duty Disability Leave . . . . . 36
704.13	Sick Leave–Leave Without Pay . . . . . 36
704.14	Sick Leave–Military Leave . . . . . 36
704.15	Sick Leave–Layoff . . . . . 36
704.16	Sick Leave–Termination . . . . . 36
704.17	Sick Leave–Exhaustion of Accrued Time . . . . . 36
704.18	Sick Leave–Carry Over . . . . . 37
705.0	Sick Leave Incentive . . . . . 37
705.1	Sick Leave Incentive–Full-Time Employees . . . . . 37
705.2	Sick Leave Incentive–Part-Time Employees . . . . . 37
706.0	Duty Disability Leave . . . . . 38
707.0	Emergency Leave . . . . . 38
708.0	Military Training Leave–Full and Part-Time Employees . . . . . 39
708.1	Military Training Leave–Temporary Employees . . . . . 39
709.0	Court Leave–City Business . . . . . 39
709.1	Court Leave–Non-City Business . . . . . 39
710.0	Jury Duty Leave . . . . . 39
711.0	Short-Term Educational Leave . . . . . 40
712.0	Family and Medical Leave . . . . . 40
712.1	Family and Medical Leave–Eligibility . . . . . 40
712.2	Family and Medical Leave–Request for Leave . . . . . 40
712.3	Family and Medical Leave–Medical Certification for Leave . . . . . 41
712.4	Family and Medical Leave–Benefits During Leave . . . . . 41
712.5	Family and Medical Leave–Return from Leave . . . . . 41
712.6	Family and Medical Leave–Failure to Return from Leave . . . . . 42
713.0	Types of Authorized Leave–Without Pay . . . . . 42
714.0	Leave Without Pay . . . . . 42
714.1	Leave Without Pay–Eligibility . . . . . 42
714.2	Leave Without Pay–Approval . . . . . 43

## TABLE OF CONTENTS

	<b>Page</b>
714.3	Leave Without Pay–Limit . . . . . 43
714.4	Leave Without Pay–Effect . . . . . 43
714.5	Leave Without Pay–PERA . . . . . 43
715.0	Military Leave . . . . . 44
716.0	Non-Duty Disability Leave . . . . . 44
717.0	Long-Term Educational Leave . . . . . 44
718.0	Leave Without Pay–Return from Leave . . . . . 44
719.0	Unauthorized Leave–Absent Without Leave (AWOL) . . . . . 45
720.0	Benefits . . . . . 45
721.0	Group Health and Life Insurance . . . . . 45
721.1	Group Health and Life Insurance–Leave Without Pay . . . . . 45
721.2	Group Health and Life Insurance–Termination . . . . . 46
722.0	Supplemental Life Insurance . . . . . 46
723.0	Public Employees Retirement Association (PERA) . . . . . 45
724.0	Deferred Compensation . . . . . 46
725.0	Worker’s Compensation . . . . . 46

### **CHAPTER VIII      DISCIPLINE**

800.0	Authority to Discipline . . . . . 47
801.0	Grounds for Discipline . . . . . 47
802.0	Cause for Discipline . . . . . 47
803.0	Initiation of Disciplinary Action . . . . . 48
804.0	Pre-Determination Hearings . . . . . 49
805.0	Disciplinary Action . . . . . 49
806.0	Written Reprimand . . . . . 49
807.0	Suspension . . . . . 50
808.0	Demotion . . . . . 50
809.0	Dismissal . . . . . 50
810.0	Relief from Duty Pending Investigation . . . . . 50
811.0	Discipline–FLSA Overtime Exempt Employees . . . . . 50

### **CHAPTER IX      APPEALS**

900.0	Employees Not Eligible for Class A or Class B Appeals . . . . . 51
901.0	Class A Appeals . . . . . 51
901.1	Class A Appeals–Procedure . . . . . 51
902.0	Class B Appeals . . . . . 51
902.1	Class B Appeals–Procedure . . . . . 52
903.0	Intimidation of Witnesses . . . . . 53
904.0	Waiver of Right of Appeal . . . . . 53

### **CHAPTER X      PROHIBITED ACTIVITIES**

1000.0	Discrimination . . . . . 54
--------	-----------------------------

## TABLE OF CONTENTS

	<b>Page</b>
1001.0 Harassment .....	54
1001.1 Harassment–Sexual .....	54
1002.0 Reporting of Discrimination or Harassment .....	55
1002.1 Reporting of Discrimination or Harassment–Investigation .....	55
1002.2 Reporting of Discrimination or Harassment–Discipline .....	56
1002.3 Reporting of Discrimination or Harassment–Retaliation .....	56
1002.4 Reporting of Discrimination or Harassment–Confidentiality .....	56
1003.0 Alcoholic and Controlled Substance .....	56
1004.0 Firearms .....	57
<b>DEFINITIONS</b> .....	<b>58</b>
<b>INDEX</b> .....	<b>66</b>



## INTRODUCTION

The City of Roswell is dedicated to public service and strives to provide its services in a professional and efficient manner.

In performing their duties and in their contacts with residents and visitors, City employees shall be continuously aware that the impression of City government which the public forms is based upon their manner, appearance, speech and conduct. The effectiveness of City government is dependent upon high standards of reliability, integrity, industriousness, helpfulness, courtesy, efficiency, neat grooming and dress, and language and shall be appropriate to the work situation and adaptable to the majority of the community.

An off-duty employee may exercise the same rights as any other private citizen insofar as they do not interfere with performance on the job or undermine the public confidence in the employee or any other City employee.

The City of Roswell also provides for its employees a safe work environment and promotes safety awareness in all of its employees and work methods.

In its efforts to provide for its employees, the City of Roswell has formulated the *Personnel Rules and Regulations* as a guideline to employment with the City.

The *Personnel Rules and Regulations* is an outline of the basic personnel policies, practices and procedures of the City of Roswell. Each employee, other than temporary employees, will be furnished with a copy of the *Personnel Rules and Regulations*. If an employee loses his copy of the *Personnel Rules and Regulations*, he may purchase another copy for \$5.00. Upon termination, an employee shall return his copy of the *Personnel Rules and Regulations* or \$5.00 will be withheld from his final pay check. Each employee is responsible for familiarizing himself with the *Personnel Rules and Regulations* and for contacting the Human Resources Department concerning any questions, comments, recommendations or suggestions.

The wording used in the *Personnel Rules and Regulations* is as follows:

1. The words “shall” or “will” are to be construed as mandatory and the word “may” as permissive.
2. The masculine gender shall be construed to include the feminine gender.